1

2

3

4

5

6

7

8   IN THE UNITED STATES DISTRICT COURT

9   FOR THE NORTHERN DISTRICT OF CALIFORNIA

10

11   MICHAEL L. BUESGENS,   No. C-08-5710 MMC

12   Plaintiff,   **ORDER DENYING PLAINTIFF'S**
                                                   "RESPONSES," CONSTRUED AS
13   v.   **MOTIONS FOR RECONSIDERATION**

14   BEVERLY HART, et al.,

15   Defendants
                                              /
16

17   The Court is in receipt of plaintiff's "Response to this Court's Order Document 69 -

18   Filed: 03/26/2009" and plaintiff's "Response to this Court's Order Document 71, Filed

19   March 27, 2009," both filed April 1, 2009. Having read and considered the "responses," the

20   Court rules as follows.

21   In the first of the two above-referenced "responses," plaintiff seeks reconsideration

22   of the Court's March 26, 2009 order, by which order the Court denied plaintiff's motion to

23   proceed in forma pauperis on appeal from the Court's order of March 13, 2009, for the

24   reason that plaintiff's stated grounds for his appeal were frivolous. Plaintiff has failed to

25   identify any cognizable basis for reconsideration exists, and, in any event, has again failed

26   to identify any non-frivolous ground on which he could base an appeal from the March 13,

27   2009 order. Accordingly, said "response," construed as a motion for reconsideration, is

28   hereby DENIED.

United States District Court

For the Northern District of California

1   In the second of the two above-referenced "responses," plaintiff seeks

2 reconsideration of the Court's order of March 27, 2009, by which order the Court denied

3 plaintiff's request that the Court take judicial notice of certain alleged "facts" pertaining to an

4 action plaintiff instituted in the United States Merit System Protection Board ("MSPB"), for

5 the reason that the Court lacks jurisdiction, in this closed case, to consider any controversy

6 that might exist in an action pending before the MSPB. Plaintiff has failed to identify any

7 cognizable basis for reconsideration exists. Accordingly, said "response," construed as a

8 motion for reconsideration, is hereby DENIED.

9   **IT IS SO ORDERED.**

10

11 Dated: April 7, 2009

12   MAXINE M. CHESNEY
                                               United States District Judge

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28